

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bret M. Berry	§ Docket No.: 31132.172 / PC792.00
	§
Serial No.: 10/663,554	§ Group Art Unit: 3775
	§
Filed: September 16, 2003	§ Examiner: Swiger III, James L.
	§
For: Expansion Tool For Adjustable Spinal Implant	§ Conf. No. 2585
	§

Mail Stop: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION
MAILED DECEMBER 8, 2008

I. Introductory Comments

The present paper is submitted in response to the Office Action mailed December 8, 2008.

No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees, including extension of time fees, are necessary, Applicant hereby petitions for the extension of time, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

The **Listing of the Claims** begins on page 2.

Remarks begin on page 7.